

MINUTES OF THE MEETING  
OF THE  
BOARD OF OPTOMETRY

June 29, 2005

ROLL CALL

The meeting of the Board of Optometry was called to order at 1:30 p.m. by Dr. Wayne Quincy, Chairman, in the Board Room, Staybridge Inn & Suites, 2701 Fletcher, Lincoln, Nebraska. The agenda was sent to the Board members and other interested parties prior to the meeting. The following members answered the roll call:

Wayne Quincy, O.D., Chairman  
James Kirchner, O.D.  
David Kincaid, O.D., Vice-Chairman  
Shelley Fastenau

Present from the Credentialing Division was Becky Wisell, Section Administrator. Also present were Michael Grutsch, Program Manager; Loretta Bennett, Investigator; Sharon Fitts, Investigator from the Investigations Division and Brad Shaff, Assistant Attorney General.

ADOPTION OF AGENDA

Kincaid moved, seconded by Kirchner, to adopt the agenda with Chairman having the ability to rearrange. Voting aye: Fastenau, Kincaid, Kirchner, and Quincy. Voting nay: none. Absent: none. Motion carried.

APPROVAL OF MINUTES

February 17, 2005

The Board suggested that on page 2 under PLANO (COSMETIC) CONTACT LENSES line 2, 2<sup>nd</sup> sentence. The word "The" should be changed to the word "They". Kirchner moved, seconded by Fastenau, to approve the February 17, 2005 minutes as amended. Voting aye: Fastenau, Kincaid, Kirchner, and Quincy. Voting nay: none. Absent: none. Motion carried. Quincy questioned whether Brad Shaff had written the article on mandatory reporting for the Nebraska Optometric Association (NOA). Shaff commented that he had written the article and forwarded it to the NOA for publication.

April 11, 2005

The Board suggested that the minutes should state that Dr. Kirchner as Secretary submitted the minutes. Kincaid moved, seconded by Fastenau, to approve the April 11, 2005 minutes as amended. Voting aye: Fastenau, Kincaid, Kirchner, and Quincy. Voting nay: none. Absent: none. Motion carried.

INVESTIGATIVE REPORTS AND COMPLIANCE MONITORING REPORTS – CLOSED SESSION

Kirchner moved, seconded by Fastenau, to go into closed session at 1:39 p.m. for the purpose of hearing the investigative reports and compliance monitoring reports. Voting aye: Fastenau, Kincaid, Kirchner, and Quincy. Voting nay: none. Absent: none. Motion carried.

Paul Salansky, O.D., member of the Board of Health, entered the meeting at 1:43 p.m.

Bennett and Fitts left the meeting at 2:00 p.m.

The Board returned to open session at 2:05 p.m.

DISCIPLINARY INFORMATION – ACTIONS TAKEN/PENDING

No actions taken/pending at this time.

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## LEGISLATION

### Bills Passed in 2005

Wisell informed the Board that LB 306 concerning criminal background checks, LB 331 concerning establishing a registry for the Cancer Drug Repository Program, and LB 382 concerning the electronic transmission of prescriptions were all passed in the 2005 Legislative session.

### Proposals for 2006

David McBride, Nebraska Optometric Association joined the meeting at 2:20 p.m.

### Uniform Licensing Law Rewrite

Wisell reviewed with the Board the proposed changes in the Uniform Licensing Law (ULL). Language from the ULL that specifically addresses a particular profession is being moved to the respective practice act. The term reciprocity will be changed to endorsement. The Board commented that they still want to be able to set their own requirements for licensure by endorsement either in statutes or regulations. Wisell also mentioned that the renewal process would change to having the Department only send one renewal notice to the licensee. The Board was concerned with this because one renewal may not reach a licensee or could get lost in the mail. Wisell mentioned that the proposal includes changes in the continuing competency waiver and in Board membership.

### Optometry Practice Act Changes

The Board established a sub-committee to address revisions to the Optometry practice act. The Board suggested changing the language to require all licensees to have therapeutic certification with the ability to diagnose and treat glaucoma. The Board suggested finding out whether the optometry schools/colleges would offer courses in therapeutics for optometry. The Board requested that Wisell ask Roger Brink whether licensees would be required to complete education as well as passing the examination.

### Other Board Proposals

There were no other legislative proposals at this time.

## APPLICATION REVIEW

Fastenau moved, seconded by Kincaid, to approve the application for licensure of Adam Walter. Voting aye: Fastenau, Kincaid, Kirchner, and Quincy. Voting nay: none. Absent: none. Motion carried.

## FINANCIAL REPORT

Wisell explained the financial report.

## RFP FOR OPTOMETRIC EDUCATION OR PROFESSIONAL DEVELOPMENT

The Board discussed topics for continuing education and whether vendors would need to offer the continuing education for free. One topic mentioned was Genetics/Molecular Medicine by Dr. Chuck Wormington. The Board members will send Wisell more topic suggestions.

Fastenau reported that she attended the ARBO meeting in Texas.

## GENERAL INFORMATION

The Board scheduled their next meeting for August 31, 2005. The meeting will be held at the Staybridge Inn and Suites' boardroom.

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ADJOURNMENT

Kincaid moved, seconded by Kirchner, to adjourn the meeting at 4:45 p.m. Voting aye: Fastenau, Kincaid, Kirchner, and Quincy. Voting nay: none. Absent: none. Motion carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "James K. Kirchner O.D.". The signature is written in dark ink and is positioned above the printed name.

James K. Kirchner, O.D.  
Secretary  
Board of Optometry